

SECOND REGULAR SESSION

# SENATE BILL NO. 776

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR WHEELER.

Pre-filed December 1, 2003, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to the bureau of communicable disease.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 192, RSMo, is amended by adding thereto one new section, to be known as section 192.074, to read as follows:

**192.074. 1. The bureau of communicable diseases within the department of health and senior services shall monitor any epidemiological study conducted by any public or private entity that promotes and safeguards the health of the citizens of Missouri from bioterrorism as defined in section 44.010, RSMo, and communicable diseases as defined in section 192.800. The bureau shall be responsible for notifying local health departments of suspected bioterrorist agents. The department shall promulgate rules regarding the timing of such studies and reports.**

**2. For purposes of this section, bioterrorist agents are agents which promote or spread bioterrorism which shall include, but not be limited to, anthrax, botulism, and smallpox.**

**3. The state public health laboratory within the department of health and senior services shall be responsible for testing and reporting all samples that are suspected of bioterrorist agents.**

**4. All reports pertaining to suspected bioterrorist agents shall be furnished in a timely manner to the affected local health department. Information reported pursuant to this section is confidential and disclosure is prohibited except as required by state or federal law or with the written consent of the affected individual. The report shall contain but shall not be limited to the following:**

- (1) The name of the disease or condition being reported;**
- (2) The date of onset;**

- (3) The date of diagnosis;
- (4) The name, address, telephone number, occupation, race/ethnic group, social security number, sex, age, date of birth for the case or suspected case;
- (5) The date of death, if death has occurred; and
- (6) The name, address, and telephone number of the person making the report.

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

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